

Honolulu, Hawaii

FEB 07

, 2020

RE: H.B. No. 2336
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Human Services & Homelessness, to which was referred H.B. No. 2336 entitled:

"A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE,"

begs leave to report as follows:

The purpose of this measure is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations.

Your Committee received testimony in support of this measure from the Department of Human Services. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that on January 7, 2019, the federal Victims of Child Abuse Act Reauthorization Act of 2018 (Public Law 115-24) was enacted, further amending the Child Abuse and Prevention Act (CAPTA). The amendment grants immunity from civil and criminal prosecution to people who provide information or assistance to a good faith report of child abuse or neglect, including medical evaluations or consultations. Your Committee also finds that Hawaii's child abuse and neglect mandatory reporting law must be amended for consistency with the CAPTA requirement. This measure will bring the State into compliance with the federal law.



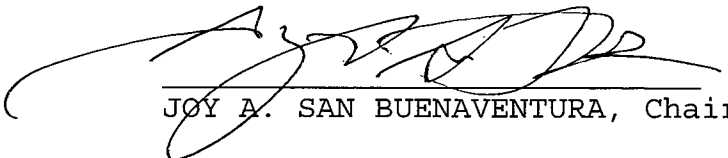
Your Committee has amended this measure by:

- (1) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider testimony received from the Department of Human Services, which explains that it has been informed by the federal Administration for Children and Families that the State's failure to comply with the amended section of CAPTA by June 30, 2020, will result in the withholding of fiscal year 2021 CAPTA state grant funding. To avoid this withholding of funds, the effective date of this measure must be on or before June 30, 2020.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2336, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,


JOY A. SAN BUENAVENTURA, Chair



